

House Bill 801 (AS PASSED HOUSE AND SENATE)

By: Representatives McCall of the 30th, Richardson of the 19th, and Tumlin of the 38th

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 43-33-18 of the Official Code of Georgia Annotated, relating to refusal to grant or restore licenses of physical therapists, discipline of licensees, and suspension, revocation, or restriction of licenses, so as to provide for limited circumstances in which physical therapists may provide services without referrals from appropriate licensed practitioners of the healing arts; to provide for circumstances in which physical therapists may treat patients for injuries or conditions that were the subject of prior referrals by appropriate licensed practitioners of the healing arts; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 43-33-18 of the Official Code of Georgia Annotated, relating to refusal to grant or restore licenses of physical therapists, discipline of licensees, and suspension, revocation, or restriction of licenses, is amended in subsection (a) by striking the introductory language and paragraph (1) and inserting in lieu thereof the following:

"(a) The board shall have authority to refuse to grant or restore a license to an applicant or to discipline a physical therapist or physical therapist assistant licensed under this chapter or any antecedent law upon a finding by the board that the licensee or applicant has:

(1)(A) Implemented or continued a program of physical therapy treatment without consultation with an appropriate licensed practitioner of the healing arts, ~~or in~~ except that a physical therapist may implement a program of physical therapy treatment without consultation with an appropriately licensed practitioner of the healing arts when:

(i) Services are provided for the purpose of fitness, wellness, or prevention that is not related to the treatment of an injury or ailment; or

1 (ii)(I) The patient was previously diagnosed and received treatment or services for
2 that diagnosis and the patient returns to physical therapy within 60 days of discharge
3 from physical therapy for problems and symptoms that are related to the initial
4 referral to the physical therapist. In such a situation the physical therapist shall
5 notify the original referral source of the return to physical therapy within five
6 business days; and

7 (II) The physical therapist holds a master or doctorate degree from a professional
8 physical therapy program that is accredited by a national accreditation agency
9 recognized by the United States Department of Education and approved by the
10 Georgia State Board of Physical Therapy or the physical therapist has completed at
11 least two years of practical experience as a licensed physical therapist.

12 If after 90 days of initiating physical therapy services the physical therapist determines
13 that no substantial progress has been made with respect to the primary complaints of
14 the patient, the physical therapist shall refer the patient to an appropriately licensed
15 practitioner of the healing arts. If at any time the physical therapist has reason to
16 believe that the patient has symptoms or conditions that require treatment or services
17 beyond the scope of practice of the physical therapist, the physical therapist shall refer
18 the patient to an appropriately licensed practitioner of the healing arts; or

19 (B) In the case of practice as a physical therapist assistant, practiced other than under
20 the supervision and direction of a licensed physical therapist;"

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.